

[CHAPTER 752.]

AN ACT

Authorizing and directing the Secretary of War to lease land on the Fort Moultrie (South Carolina) Military Reservation to the owners of certain cottages thereon.

June 24, 1936.

[S. 4432.]

[Public, No. 782.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to lease for a period of twenty years to the owners of the six cottages erected on land reclaimed from the ocean and now determined to be part of the military reservation of Fort Moultrie, South Carolina, the land upon which such homes were erected by the owners in the belief that title was vested in the commissioners of Sullivans Island, from whom it was secured by the owners: *Provided, however,* That such leases shall contain the provision that if at any time said property is needed for military purposes the buildings thereon must, upon notice, be immediately removed and the leases canceled, and the further provision that such buildings shall be removed without expense to the United States Government and that the lessee shall have no claim against the United States Government by reason of any damage whatsoever to said buildings or person from any cause.

Fort Moultrie Military Reservation, S. C.
Lease of land to owners of certain cottages on, authorized.

Proviso.
Conditions.

Approved, June 24, 1936.

[CHAPTER 753.]

AN ACT

Authorizing the appointment of an additional circuit judge for the third circuit.

June 24, 1936.

[S. 4457.]

[Public, No. 783.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and directed, by and with the advice and consent of the Senate, to appoint an additional circuit judge of the United States Circuit Court of Appeals for the Third Circuit, who shall possess the same powers, perform the same duties, and receive the same compensation as the present circuit judges of said circuit.

United States courts.
Additional circuit judge for third circuit.

SEC. 2. That when a vacancy shall occur in the office of circuit judge for the third circuit, by the retirement, disqualification, resignation, or death of a circuit judge at present in commission, such vacancy shall not be filled, and thereafter there shall be but four circuit judges in the said circuit.

Vacancy not to be filled.

SEC. 3. That this Act shall take effect upon its approval by the President.

Effective date.

Approved, June 24, 1936.

[CHAPTER 754.]

AN ACT

To amend the Canal Zone Code.

June 24, 1936.

[H. R. 6719.]

[Public, No. 784.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 1 of title 2, Canal Zone Code, approved June 19, 1934 (48 Stat. 1122), is amended by adding at the end thereof a new section numbered 13 and reading as follows:

Canal Zone Code,
amendments.
Vol. 48, p. 1122.

"13. DISPOSITION OF USELESS PAPERS.—The Governor of the Panama Canal, under such regulations as he may prescribe, may authorize the destruction or disposal by other means of duplications in the

Disposition of useless papers.

files and other papers which are not needed or useful in the transaction of the current business of the Panama Canal and have no permanent value or historical interest."

SEC. 2. That the first paragraph of subsection (b) of section 94 of title 2, Canal Zone Code, is amended to read as follows:

Disability retirement
of employees.
Annuities.

"(b) Any employee to whom this article applies who shall have served for a total period of not less than five years, and who, before becoming eligible for retirement under the conditions defined in section 92 of this title, shall have become totally disabled for useful and efficient service in the grade or class of position occupied by the employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his own application or upon request or order of the Governor of the Panama Canal, be retired on an annuity computed in accordance with the provisions of section 96 of this title: *Provided*, That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than five years next prior to becoming so disabled for useful and efficient service, shall not be required in any case; and any claim heretofore disallowed under this section by reason of the requirement of such proof with respect to a longer period than five years, shall upon request of the applicant be reinstated, and shall thereupon be redetermined under the provisions of the section as herein amended."

Proviso.
Proof of conduct.

Claims previously
disallowed.

SEC. 3. That paragraph (c) of section 101 of title 2, Canal Zone Code, is amended to read as follows:

Death of annuitant.
Return of amount
remaining to credit,
etc.

"(c) In case an annuitant shall die without having received in annuities purchased by the employee's contributions as provided in paragraph (2) of section 96 of this title an amount equal to the total amount to his credit at time of retirement, the amount remaining to his credit and any accrued annuity shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

Payments; prece-
dence.

"First, to the beneficiary or beneficiaries designated in writing by such annuitant and recorded on his individual account;

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such annuitant;

"Third, if there be no such beneficiary, or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the annuitant, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

Annuitant having
elected to receive in-
creased annuity.

"In the case of an annuitant who has elected to receive an increased annuity as provided in section 96 of this title, the amount to be paid under the provisions of this paragraph shall be only the accrued annuity."

SEC. 4. That paragraph (d) of section 101 of title 2 of the Canal Zone Code is amended to read as follows:

Employee dying
before retirement, etc.

"(d) In case an employee shall die without having attained eligibility for retirement or without having established a valid claim for annuity, the total amount of his deductions with interest thereon shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

Payments; prece-
dence.

"First, to the beneficiary or beneficiaries designated in writing by such employee and recorded on his individual account;

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such employee;

"Third, if there be no such beneficiary or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the employee, to such person or persons as

may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person."

SEC. 5. That paragraph (e) of section 101 of title 2 of the Canal Zone Code is amended to read as follows:

"(e) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such former employee. If the amount of refund due such former employee does not exceed \$1,000, and if there has been no demand upon the Civil Service Commission by a duly appointed guardian or committee, payment may be made, after the expiration of thirty days from date of separation from the service, to such person or persons, in the discretion of the Commission, who may have the care and custody of such former employee, and such payment shall be a bar to recovery by any other person."

Former employee becoming legally incompetent.
Payment of amount due.

SEC. 6. That paragraph (f) of section 101 of title 2 of the Canal Zone Code is amended to read as follows:

"(f) Each employee or annuitant to whom this article applies may, under regulations prescribed by the Civil Service Commission, designate a beneficiary or beneficiaries to whom shall be paid, upon the death of the employee or annuitant any sum remaining to his credit (including any accrued annuity) under the provisions of this article."

Designation of beneficiary.

SEC. 7. That section 142 of title 2 of the Canal Zone Code is amended to read as follows:

"142. PUNISHMENT OF PERSONS DEPORTED FROM CANAL ZONE WHO RETURN THERETO.—Any person who voluntarily returns to the Canal Zone after having served a sentence of imprisonment therein and after having been deported therefrom, shall:

Punishment for re-entry of deported persons.

"(a) Be punished by imprisonment in the penitentiary for not more than two years; and

Penalty.

"(b) Be removed from the Canal Zone upon the completion of his sentence, in accordance with the laws and orders relating to deportation.

"A voluntary entry into the Canal Zone for any purpose shall be sufficient to constitute a return to the Canal Zone within the meaning of this section: *Provided*, That the Governor of the Panama Canal, in his discretion, by permit or regulations, may authorize persons deported from the Canal Zone to pass through or to return temporarily to the Canal Zone, and he may prescribe the route over which such persons shall be required to travel while in the Canal Zone. Any person who violates the terms of such permit or the regulations authorized herein, or remains in the Canal Zone after the expiration of such permit, shall be deemed guilty of violation of this section and punished as provided herein."

Proviso.
Temporary return, or passage; permits for.

SEC. 8. That section 158 of title 2 of the Canal Zone Code is amended to read as follows:

U. S. C., p. 2195.

"158. SMALL VESSELS PROPELLED BY MACHINERY; REGISTRATION, CERTIFICATION, AND NUMBERING; LICENSING OF OPERATORS; FINES.—Vessels not more than sixty-five feet in length, measuring from end to end over the deck excluding sheer, and propelled in whole or in part by machinery, shall be registered, certificated, and numbered, and shall display the numbers assigned in a conspicuous place in prescribed form. Such vessels shall be subject to annual inspection, and the certificate referred to herein shall be issued for a term of one year and shall specify the number of passengers which the vessel may carry, and the number of life preservers and the fire-fighting apparatus and other equipment which the vessel shall carry.

Small vessels propelled by machinery.
Registration, certification, numbering, etc.

Annual inspection.

Operator's license, insurance, etc.

"No such vessel shall be operated except by a person holding an operator's license, issued after examination by the board of local inspectors and approved by the marine superintendent or such other officer of the Panama Canal as may be designated by the Governor.

Penalty for violation.

"Any person who as owner, hirer, or borrower of any such vessel, shall cause or permit it to be operated in Canal Zone waters in violation of any of the requirements of this section or of the certificate issued hereunder, shall be liable to a fine of not more than \$100: *Provided, however,* That this section shall not apply to public vessels of the United States or of the Republic of Panama, or to tugboats or towboats propelled by steam."

Proviso.
Exceptions.

U. S. C., p. 2196.

SEC. 9. That section 159 of title 2 of the Canal Zone Code is amended to read as follows:

Small vessels not machine-propelled.
Registration, etc.

"159. SMALL VESSELS NOT PROPELLED BY MACHINERY; REGISTRATION AND NUMBERING; FINES.—Vessels not more than sixty-five feet in length and not propelled in whole or in part by machinery, shall be registered and numbered, and when numbers have been assigned they shall be displayed in a conspicuous place in prescribed form. Any person who as owner, hirer, or borrower of any such vessel, shall cause or permit it to be operated in Canal Zone waters in violation of any of the requirements of this section shall be liable to a fine of not more than \$100.

Small passenger-carrying vessels.
Section repealed.

SEC. 10. That section 160 of title 2 of the Canal Zone Code is hereby repealed.

SEC. 11. That section 603 of title 5 of the Canal Zone Code is amended to read as follows:

Vagrants, etc.

"603. VAGRANTS, BEGGARS, LOITERERS, AND INTOXICATED PERSONS; DISORDERLY CONDUCT; BREACH OF PEACE.—Every vagrant or person found within the Canal Zone without legitimate business or visible means of support;

Beggars, etc.

"(b) Every mendicant or habitual beggar found within the Canal Zone;

Loiterers, etc.

"(c) Every person found within or loitering about any building or structure, or any vessel, railroad car, or storage yard, without due and proper authority or permission so to be; or peddling goods or merchandise about any laborers' camp or mess house during hours when laborers are ordinarily employed at work, or in or about places where groups of men are at work;

Intoxicated persons.

"(d) Every person found in any public place in such a state of intoxication as to disturb others, or unable, by reason of his condition, to care for his own safety or of the safety of others; and

Disorderly conduct, etc.

"(e) Every person who shall, in the Canal Zone, engage in any kind of disorderly conduct or breach of the peace;

Penalty for.

"Shall be punished by a fine of not more than \$25, or by imprisonment in jail for not more than thirty days, or by both."

SEC. 12. That section 876 of title 5 of the Canal Zone Code is amended to read as follows:

Offenses and punishment thereof.
Carrying arms or dangerous weapons.

"876. OFFENSES AND PUNISHMENT THEREOF.—Any person who:

Hunting without permit.

"(a) Carries on or about his person any of the arms mentioned in section 871 of this title without authority under this chapter;

"(b) Engages in hunting without first obtaining the permit provided for in this chapter; or

Unlawful hunting.

"(c) After obtaining a hunting permit, engages in hunting in violation of provisions of this chapter or any rule or regulation established by the Governor hereunder;

"Shall be guilty of a misdemeanor; and any arms carried in violation of paragraph (a) of this section may be seized, and the court may order their confiscation and destruction. Penalties for violations of this chapter shall be in addition to any punishment which

may be imposed upon the offending person for any other offense that he may have committed in connection with the carrying or using of arms in violation of this chapter."

SEC. 13. That section 132 of title 6 of the Canal Zone Code is amended to read as follows:

"132. MANNER OF TAKING APPEAL.—An appeal from the judgment of a magistrate's court may be taken and perfected by the defendant by giving oral or written notice in court of his intention so to do at any time within five days after judgment is rendered."

Appeals.
Manner, time, etc.,
of taking.

Approved, June 24, 1936.

[CHAPTER 755.]

AN ACT

To provide more effectively for the national defense by further increasing the effectiveness and efficiency of the Air Corps of the Army of the United States.

June 24, 1936.
[H. R. 11140.]
[Public, No. 785.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authorized strength in airplanes, equipment, and accessories of the Army Air Corps established by the Act approved July 2, 1926 (44 Stat. 780), is hereby increased to such numbers as will permit the Secretary of War to complete the equipment and organization and to maintain in the Army Air Corps the special Army air organization known as G. H. Q. Air Force, and our overseas defenses, together with a 25 per centum reserve for such forces, and to procure such other airplanes and equipment, including spare parts, supplies, and accessories, for such other purposes as are necessary to provide for the mission of the Army Air Corps: *Provided*, That of the increase authorized herein not to exceed two thousand three hundred and twenty serviceable airplanes, including equipment and accessories, are authorized to be obtained.

Army Air Corps.
Authorized strength
in airplanes, equip-
ment, etc., increased.
Vol. 44, p. 784;
U. S. C., p. 245.

G. H. Q. Air Force,
maintenance.

Proviso.
Maximum number.

Approved, June 24, 1936.

[CHAPTER 756.]

AN ACT

For the relief of the Orland reclamation project, California.

June 24, 1936.
[H. R. 11538.]
[Public, No. 786.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to execute or authorize the execution of amendatory contracts with the individual water users of the Orland reclamation project, California, by which (a) the time within which the cost of Stony Gorge Reservoir may be paid shall be thirty-five years in lieu of the seventeen years allowed for such payment under existing contracts, the said annual payments to be graduated as the said Secretary may prescribe, and (b) any construction or operation and maintenance charges due from the individual water users and delinquent as of the date of this Act, together with the accrued interest or penalties, may be added to their proportionate part of the cost of said reservoir.

Orland reclamation
project, Calif.
Amendatory con-
tracts with water users
for payment of con-
struction, operation,
etc., charges, author-
ized.

SEC. 2. The said Secretary shall classify the lands of the Orland project and the owners of all lands found by the said Secretary to be permanently unproductive may, by supplemental agreement with the United States, be relieved of all liability for further operation and maintenance and construction charges on land so found to be permanently unproductive, and the credit for construction charges theretofore paid on such permanently unproductive lands may be

Release of unproduc-
tive lands.

Transfer of credits for
construction charge
payments.